

The Katzenbach Appointment

By EDWARD P. MORGAN
(From an ABC Broadcast)

FOIAb3b

CPYRGHT

Memorandum to announce government officials hoping to move upward in the Johnson administration: don't push. As an illustration take the case of Nicholas de Belleville Katzenbach who recently won full-fledged appointment as Attorney General of the United States after holding the job in an uncertain "acting" capacity for nearly six months.

When Robert Kennedy, after being dealt out of the vice presidential sweepstakes, belatedly decided to run for the Senate from New York he recommended to President Johnson his number one deputy at the Justice Department, Katzenbach, as the interim appointment. Kennedy said, in effect, he appreciated the intimate and understanding relationship necessary between the President and his Attorney General and conceded he would in all likelihood want to pick his "own man" for permanent appointment after the election. He endorsed Katzenbach highly and said he knew he would value even a temporary elevation to the cabinet. The President concurred.

There then followed a long and suspenseful interval toward the end of which one of Katzenbach's friends quipped that he might be remembered as serving the longest term as acting Attorney General in history. This particular cabinet officer is, in the full sense of the term, "the President's lawyer" and although it would be hard to duplicate the brotherly empathy between President Kennedy and his Attorney General, it was widely speculated—and expected—that President Johnson would select a man already close to him. The name of a distinguished attorney in Houston was given prominence. So were those of two top Washington lawyers, Abe Fortas and Clark Clifford, both of whom had long known the President and who already were serving as unofficial but important White House advisers.

The November landslide came and went and still no word from the White House on who would head the Justice Department for the full term. Some columnists scolded the President for delays on this and other appointments. Katzenbach himself went quietly

about his business, which was considerable and included new civil rights challenges in the South. And the President, it turned out, was going quietly about his business too. He had, in fact, considered Fortas and Clifford and also his trusted friend from Senate Space Committee days, Edwin Weisl, now Democratic national committeeman from New York, for the job but each in his own way, and for his own reasons had demurred with thanks and each had told him that he already had a fine Attorney General in Katzenbach.

The President was impressed, not only with their recommendations but with Katzenbach's own performance. However if there is a man in government whose judgment of men Mr. Johnson respects above all others it probably is Defense Secretary Robert McNamara. When he asked McNamara to name a choice but to "sleep on it" first, the Secretary is reported to have replied, "I don't need to. You already have the man."

So inevitably the President called his acting Attorney General in. As an authentic version of the story goes he asked Katzenbach what he wanted to do. The latter replied he would like to stay in government service. A judgeship perhaps? He would be honored but he thought he would prefer to stay in the executive branch. What about the directorship of the Central Intelligence Agency, since John McCone had indicated he wanted to leave soon? Katzenbach's reply was in effect, that he would like to serve where his chief thought he would be best fitted to serve. Not a murmur that he coveted the Attorney Generalship though it was hardly a secret in Washington that that was his overriding wish.

The President was so impressed that afterwards he mentioned the interview to his wife and Lady Bird concurred that this was a healthful approach to public service. Upshot: nomination and confirmation of Nicholas de Belleville Katzenbach as Attorney General. A few days later, in a remark to a friend, the President paid Katzenbach an important tribute. "He knows me a little," Mr. Johnson said, with a twinkle in

his eye. The President is fiercely proud of his administration and pays John Kennedy tribute for having, on the whole, selected cabinet officers and their deputies so well. He is determined, he vows privately, to maintain and if possible increase excellence of appointments. The fact that Katzenbach was a Rhodes Scholar did not handicap his selection and the President is apt to mention that Civil Service Chief John Macy, who is also in charge of top-level recruitment for the LBJ regime, is a Phi Beta Kappa.

As for the CIA job, there is reason to believe President Johnson has been reviewing the possibilities of another Phi Beta Kappa, a young (47-year-old) highly successful Dallas attorney named Eugene Locke, a graduate of the University of Texas and the Yale Law School. He may not be the man, but if he has Katzenbach's cool approach, he might make it.

CPYRGHT